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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,954	02/28/2006	Mark Patrick	4623-051017	5535
28289 7590 05/29/2008 THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219			EXAMINER SPAHN, GAY	
			ART UNIT 3635	PAPER NUMBER
			MAIL DATE 05/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,954

Applicant(s)

PATRICK, MARK

Examiner

Gay Ann Spahn

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-15 and 17 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

SPECIES I – Fig. 2 with reinforcing component 19 of Fig. 3 and solid slab;

SPECIES II – Fig. 2 with reinforcing component 19 of Fig. 3 and composite slab;

SPECIES III – Fig. 2 with reinforcing component having zig-zag shape line wires and solid slab;

SPECIES IV – Fig. 2 with reinforcing component having zig-zag shape line wires and composite slab;

SPECIES V – Fig. 5 with reinforcing component 19 of Fig. 3 and solid slab;

SPECIES VI – Fig. 5 with reinforcing component 19 of Fig. 3 and composite slab;

SPECIES VII – Fig. 5 with reinforcing component having zig-zag shape line wires and solid slab;

SPECIES VIII – Fig. 5 with reinforcing component having zig-zag shape line wires and composite slab;

SPECIES IX – Fig. 6 with reinforcing component 19 of Fig. 3 and solid slab;

SPECIES X – Fig. 6 with reinforcing component 19 of Fig. 3 and composite slab;

SPECEIS XI – Fig. 6 with reinforcing component having zig-zag shape line wires and solid slab;

OR

SPECEIS XII – Fig. 6 with reinforcing component having zig-zag shape line wires and composite slab.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims appear to correspond to the species listed above in the following manner:

SPECIES I - claims 1-3, 7, 8, 13-15, and 17

SPECIES II - claims 1-8, 13-15, and 17

SPECIES III – claims 1-3, 7, 9, 13-15, and 17

SPECIES IV – claims 1-7, 9, 13-15, and 17

SPECIES V – claims 1-3, 7, 8, 13-15, and 17

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SPECIES VI – claims 1-8, 13-15, and 17

SPECIES VII – claims 1-3, 7, 13-15, and 17

SPECIES VIII – claims 1-7, 9, 13-15, and 17

SPECIES IX – claims 1-3, 7, 8, 10-15, and 17

SPECIES X – claims 1-8, 10-15, and 17

SPECIES XI – claims 1-3, 7, 9-15, and 17

SPECIES XII – claims 1-7, 9-15, and 17

The following claim(s) appear to be generic: 1-3, 7, 13-15, and 17.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

SPECIES I has the special technical feature of being a composite beam having the combination of a single profiled steel sheet 7 of Fig. 2, a reinforcing component with parallel line wires 41 of Fig. 3, and a solid slab;

SPECIES II has the special technical feature of being a composite beam having the combination of a single profiled steel sheet 7 of Fig. 2, a reinforcing component with parallel line wires 41 of Fig. 3, and a composite slab;

SPECIES III has the special technical feature of being a composite beam having the combination of a single profiled steel sheet 7 of Fig. 2, a reinforcing component with zig-zag shaped line wires, and a solid slab;

SPECIES IV has the special technical feature of being a composite beam having the combination of a single profiled steel sheet 7 of Fig. 2, a reinforcing component with zig-zag shaped line wires, and a composite slab;

SPECIES V has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 5, a reinforcing component with parallel line wires 41 of Fig. 3, and a solid slab;

SPECIES VI has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 5, a reinforcing component with parallel line wires 41 of Fig. 3, and a composite slab;

SPECIES VII has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 5, a reinforcing component with zig-zag shaped line wires, and a solid slab;

SPECIES VIII has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 5, a reinforcing component with zig-zag shaped line wires, and a composite slab;

SPECIES IX has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 6, a reinforcing component with parallel line wires 41 of Fig. 3, a solid slab, and additional cranked handlebar-shaped reinforcing elements;

SPECIES X has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 6, a reinforcing component with parallel line wires 41 of Fig. 3, a composite slab, and additional cranked handlebar-shaped reinforcing elements;

SPECIES XI has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 6, a reinforcing component with

zig-zag shaped line wires, a solid slab, and additional cranked handlebar-shaped reinforcing elements; and

SPECIES XII has the special technical feature of being a composite beam having the combination of a split profiled steel sheet 7 of Fig. 6, a reinforcing component with zig-zag shaped line wires, a composite slab, and additional cranked handlebar-shaped reinforcing elements.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)272-7731. The examiner can normally be reached on Monday through Friday, 10:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on (571)-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gay Ann Spahn/
Gay Ann Spahn, Patent Examiner
May 25, 2008